

REMARKS

Claims 1-5 were previously pending in the application. By the Amendment, new Claims 6-15 have been added and original Claims 1-5 remain unchanged. Applicants gratefully acknowledge the Examiner's indication that Claims 2-4 include allowable subject matter.

In the last paragraph on page 2 of the above-identified Office Action, claims 1 – 5 have been rejected as being indefinite under 35 U.S.C. §112.

More specifically, the Examiner has stated that in Claims 1-5, it is not clear what is meant by "circlip." The Examiner is directed page 5, line 20 of the specification, where it is disclosed that the circlip 5 can be a clamping or locking ring. Furthermore, a search on the Internet for the term "circlip" provides many examples of "circlips." The Kenwood reference used by the Examiner in the 35 U.S.C. §102 rejection below disclosed "circlips 14." Based on the above-given comments, the claims are believed to meet the requirements of 35 U.S.C. §112 second paragraph. Accordingly, no amendments to the claims have been made to overcome the rejection.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. §112, first and second paragraphs. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved.

The claims stand rejected under the cited prior art of record. Specifically, Claims 1 and 5 are rejected under 35 USC §102(b) as being anticipated by one of Kenwood (GB 960 827) or Priestman (US 2,822,198).

Applicants believe the Claims 1 and 5 were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references. Applicants respectfully request reconsideration of the claims.

Claims 1 and 5 recite, among other things, a housing part, a drive shaft mounted in the housing part, and a rotating element driven by the drive shaft.

Priestman discloses a fastener that has an open loop (12) having arms (16 and 18), which are bent back over the loop (12). The fastener is used with a lever arm member (24) to retain a rod or shaft relative to the lever arm member.

Priestman does not show a housing part, a drive shaft mounted in the housing part, and a rotating element driven by the drive shaft, as recited in Claims 1 and 5 of the

instant application. The Priestman reference discloses that a fastener is used with a lever arm member (24) to retain a rod or shaft relative to the lever arm member. Priestman does not disclose a housing part, a drive shaft, and a rotating element driven by the drive shaft. This is contrary to the invention of the instant application as claimed, which recited a housing part, a drive shaft mounted in the housing part, and a rotating element driven by the drive shaft.

For these and other reasons, Priestman does not anticipate Claims 1 and 5, and withdrawal of the corresponding rejection is respectfully requested. Claims 2-4 depend from Claim 1 and should be allowed for the same reasons and also because they recite additional patentable subject matter.

Claims 1 and 5 also recite, among other things, a circlip having a protruding wire, for securing the drive shaft against the movement of the drive shaft in longitudinal direction of the drive shaft relative to the housing part.

Kenwood discloses a juice extractor having a spindle (13) retained for rotation in a sleeve bearing (11) by circlips (14).

Kenwood does not show a circlip having a protruding wire, for securing the drive shaft against movement of the drive shaft in longitudinal direction of the drive shaft relative to the housing part, as recited in claims 1 and 5 of the instant application. The Kenwood reference discloses that a spindle is retained for rotation in a sleeve bearing by a circlip. Kenwood does not disclose a circlip having a protruding wire for securing the spindle against movement of the spindle in longitudinal direction of the spindle relative to a housing. This is contrary to the invention of the instant application as claimed, in which a circlip has a protruding wire, for securing the drive shaft against movement of the drive shaft in longitudinal direction of the drive shaft relative to the housing part.

For these and other reasons, Kenwood does not anticipate Claims 1 and 5, and withdrawal of the corresponding rejection is respectfully requested. Claims 2-4 depend from Claim 1 and should be allowed for the same reasons and also because they recite additional patentable subject matter.

Applicants appreciatively note that Claims 2 – 4 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening

claims. However, Applicants believe the claims are patentable in their existing form. Therefore, the claims have not been amended.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of Claims 1 or 5. Claims 1 and 5 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on Claim 1, they are believed to be patentable as well. In view of the foregoing, reconsideration and allowance of Claims 1-5 are respectfully requested.

New Claims 6-15 have been added. The prior art does not disclose a motorized kitchen appliance, comprising: a housing; a drive shaft mounted for rotation with respect to the housing, the drive shaft being movable in an axial direction with respect to the housing; and a circlip removably connected to the drive shaft and limiting axial movement of the drive shaft in a first axial direction, as recited in independent Claim 6. Therefore, Applicants respectfully request allowance of independent Claim 6. Claims 7-15 depend from Claim 6 and should be allowed for the same reasons and also because they recite additional patentable subject matter.

If an extension of time for this paper is required, petition for extension is herewith made.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claim 1-15 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. Please note that Applicants have changed representation and are now represented by new counsel. The formal Revocation of Power of Attorney / New Power of Attorney and Change of Correspondence Address documents will be forthcoming.

Craig J. Loest

Name of Attorney Signing under 37 CFR 1.34

Respectfully submitted,



Craig J. Loest

Registration No. 48,557

February 22, 2005

BSH Home Appliances Corp.
100 Bosch Blvd
New Bern, NC 28562
252-672-7930
email: craig.loest@bshg.com